

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:14-CR-00017-RJC

USA

v.

OLWIN BROWN

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ORDER

THIS MATTER is before the Court upon a bond violation report filed by the United States Pretrial Services Office seeking revocation of the defendant's pretrial release. (Doc. No. 470).

A judicial officer shall enter an order of revocation and detention based on probable cause to believe that the defendant has violated the law while on release or based on clear and convincing evidence of a violation of any other condition and, based on the factors in 18 U.S.C. § 3142(g), a finding that no condition or combination of conditions of release will assure the person will not flee or pose a danger to the community or the person is unlikely to abide by any condition or combination of conditions of release. 18 U.S.C. §3148(b)(1). A rebuttable presumption in favor of detention arises when there is probable cause to believe the defendant committed a criminal offense while on release. Id.

After a hearing, the Court found probable cause that the defendant committed bank fraud on August 12, 2014, just eight days after he was allowed to remain on release after a previous revocation hearing. The Court further found that no condition or combination of conditions would assure the safety of the community and that the defendant was unlikely to abide by any condition or combination of conditions of release.

IT IS, THEREFORE, ORDERED that the magistrate judge's release order (Doc. No. 132) is **REVOKED** and the defendant is committed to the custody of the Attorney General.

IT IS FURTHER ORDERED that, to the extent practicable, the defendant shall be confined in a corrections facility separate from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded reasonable opportunity for private consultation with counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined shall deliver the defendant to a United States marshal for the purpose of an appearance with a court proceeding.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals Service, and the United States Probation Office.

Signed: November 13, 2014

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

